

**GOVERNMENT OF PUERTO RICO  
PUERTO RICO PUBLIC SERVICE REGULATORY BOARD  
PUERTO RICO ENERGY BUREAU**

**NEPR**

**Received:**

**May 9, 2024**

**9:35 PM**

**IN RE:**

INTERCONNECTION REGULATIONS

**CASE NO. NEPR-MI-2019-0009**

**SUBJECT: Urgent Motion to Reiterate Request to Reschedule the Technical Conference Set for May 16, 2024**

**URGENT MOTION TO REITERATE REQUEST TO RESCHEDULE THE  
TECHNICAL CONFERENCE SET FOR MAY 16, 2024**

**TO THE PUERTO RICO ENERGY BUREAU:**

**COME NOW LUMA Energy ServCo, LLC and LUMA Energy, LLC** (collectively “LUMA”), through the undersigned legal counsel, and respectfully state and request the following:

**I. Relevant Procedural Background**

1. On July 15, 2021, this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order (“July 15<sup>th</sup> Order”) notifying that it had developed a draft for a new comprehensive interconnection regulation (titled *Generating Facility and Microgrid Interconnection Regulation*) (“Draft Interconnection Regulation”) to govern the interconnection of distributed generators and inviting LUMA and other stakeholders to provide comments to this Draft Interconnection Regulation.

2. On July 30, 2021, LUMA submitted preliminary comments to the Draft Interconnection Regulation. *See* LUMA’s *Motion Submitting LUMA’s Comments to Preliminary Draft of Proposed Generating Facility and Microgrid Interconnection Regulation* of that date.

3. On November 15, 2021, LUMA submitted additional comments to the Draft Interconnection Regulation. *See* LUMA’s *Motion to Submit Additional Comments to Preliminary*

*Draft of Proposed Generating Facility and Microgrid Interconnection Regulation* of that date (“November 15<sup>th</sup> Motion”). Among others, in the November 15<sup>th</sup> Motion LUMA proposed that the detailed technical requirements for interconnection be removed from the Draft Interconnection Regulation and be included in a separate technical document (“TIR”) for review and approval by the Energy Bureau separately from the proposed regulation and submitted a preliminary draft of the TIR document. *See* November 15<sup>th</sup> Motion at pages 3-4 and Exhibit 2.

4. On May 19, 2022, LUMA submitted to the Energy Bureau a more complete version of the TIR document. *See, Motion Submitting Complete Version of Technical Interconnection Requirements Document*, Exhibit 1.

5. Throughout the course of the case, the Energy Bureau received additional comments regarding the (“Preliminary Interconnection Regulation Draft”) and the TIR document from various associations and individuals.

6. On April 4, 2024, the Solar and Energy Storage Association of Puerto Rico (“SESA”) submitted to the Energy Bureau a letter regarding an *Urgent Request Regarding LUMA’s Publication of a “Smart Inverter Settings Sheets- Technical Bulletin”/ NEPR-MI-2019-0009* (“SESA’s Request”), objecting to the validity of a Technical Bulletin published by LUMA on April 1, 2024 in its official website (the “Technical Bulletin”) and requesting the Energy Bureau grant the remedies described in SESA’s Request, including staying it and imposing rulemaking requirements.

7. On April 9, 2024, LUMA requested the Energy Bureau to provide LUMA until April 18, 2024 to submit its response to SESA’s Request. *See Notice of Intent to Submit Response to Urgent Request Filed by SESA on April 4, 2024* (“April 9<sup>th</sup> Motion”).

8. On April 15, 2024, the Energy Bureau issued a Resolution and Order (“April 15<sup>th</sup> Order”) indicating that it had received the SESA Request and LUMA’s April 9<sup>th</sup> Motion and granting LUMA and the Independent Consumer Protection Office until April 20, 2024 to present their position regarding SESA’s Request. *See* April 15<sup>th</sup> Order on pages 2 and 3.

9. In the April 15<sup>th</sup> Order, the Energy Bureau also indicated that it had received comments on the Draft Interconnection Regulation and the TIR document submitted by LUMA (referred to by the Energy Bureau as the “Manual of Technical Requirements for Interconnection” (“TIR Manual”)). *See id.* at page 2. The Energy Bureau further indicated that it received a study conducted by a student in the University of Puerto Rico Mayaguez Campus “regarding the possible alternatives to prevent or postpone having to conduct improvements to feeders to mitigate the effects of DGs” and that it had made it form part of the administrative record. *See id.* at page 3. The documents relating to this study are comprised of a presentation and a thesis both titled “Increasing Hosting Capacity of Distribution Feeders Through Energy Storage and Smart Inverter Functions”. *See id.* at page 2, footnote 12.

10. Furthermore, in the April 15<sup>th</sup> Order, the Energy Bureau scheduled a Technical Conference for May 16, 2024, at 10:00 a.m. (the “Technical Conference”) “to discuss, among other things, the suitability of using the 15% criteria<sup>1</sup> or in the alternative any other less onerous but safe criteria, to require a supplementary study to the [Distributed Generation (“DG”)] proponents and the measures proposed by LUMA, in the [TIR] Manual and/or the [Technical] Bulletin, to reduce or manage the operational challenges of the high penetration of DGs and avoid or postpone having

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<sup>1</sup> Presumably referring to the requirement that Supplemental Studies be required for DGs interconnecting to a feeder that exceeds 15% of its annual peak load, which is included in the Puerto Rico Electric Power Authority’s Regulation to Interconnect Generators to the Electric Distribution System of the Electric Power Authority and Participate in the Net Metering Programs, Regulation 8915 (*see* Regulation 8915, Section IV, Art. A, Parr. 4), as well as the Preliminary Interconnection Regulation Draft (*see* Draft Interconnection Regulation, Section 1.28(B)).

to make improvements in the distribution network”. *See id.* at pages 2-3 (footnote added; translation ours). The Energy Bureau also ordered LUMA to appear at the Technical Conference and to: “ensure that all the representatives involved in the pertinent documents are available; [...] that said representatives be ready to respond to questions that the Energy Bureau’s personnel and/or Commissioners may have; and [...] timely present a copy of any Power Point presentation, images or materials that LUMA may have the intention of using during the Technical Conference”. *See id.* at page 3 (translation ours).

11. On April 19, 2024, ICPO filed a motion to comply with the April 15<sup>th</sup> Order. *See Moción en Cumplimiento de Orden Emitida el 15 de abril de 2024* filed on April 19, 2024 (“ICPO Motion”).

12. On April 22, LUMA filed a *Response to Urgent Request Filed by SESA on April 4, 2024*, in which it requested the Energy Bureau to deny SESA’s request for remedies with respect to the Technical Bulletin.<sup>2</sup>

13. On April 29, 2024, LUMA informed the Energy Bureau that in preparing for the May 16<sup>th</sup> Technical Conference, LUMA had “identified the key individuals with most knowledge on technical interconnection requirements and/or involved in the preparation of the TIR Manual or the Technical Bulletin to participate in the Technical Conference, as required by the April 15<sup>th</sup> Order”; that “among these is a subject matter expert who has vast knowledge of the technical interconnection requirements and the topics discussed in the April 15<sup>th</sup> Order, but this subject matter expert is not available on the scheduled date of the Technical Conference because he will be on work leave”. *See Motion to Request the Rescheduling of the Technical Conference Set for May 16, 2024* (“April 29<sup>th</sup> Motion”) on page 4. LUMA also indicated that “[g]iven his background

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<sup>2</sup> This motion was filed on Monday, April 22, 2024, since April 20<sup>th</sup> was a Saturday.

and knowledge, this subject matter expert's attendance at the Technical Conference is vital to ensure LUMA is most thoroughly prepared to answer the Energy Bureau's questions as required by the April 15<sup>th</sup> Order". *See id.* In view of this situation, LUMA then respectfully requested this Honorable Energy Bureau to reschedule the Technical Conference to June 11, 2024, when LUMA's key subject matter expert will be back from his work leave and available to attend. LUMA also provided the alternative dates of June 13, 2024 at 10:00 a.m. and June 18, 2024 at 10:00 a.m. *See id.*

14. On May 3, 2024, SESA filed a *Reply to LUMA's April 22, 2024 Response to Urgent Request* ("SESA's Reply") in which it again requested the Energy Bureau to stay the implementation of the Technical Bulletin and direct that a regulatory review process be undertaken. SESA also opposed LUMA's request to re-schedule the May 16<sup>th</sup> Technical Conference arguing that LUMA had identified more than one key individual to participate in it and that the unavailability of one person "should not be a problem". They also found it "problematic" that the date requested to reschedule the May 16<sup>th</sup> Technical Conference would occur after the date when the Technical Bulletin would enter into effect.

15. LUMA received notification that the May 3<sup>rd</sup> Motion was filed on May 5, 2023 and obtained a copy of the Motion on May 7, 2023.

## **II. LUMA's Reiterated Request that the May 16<sup>th</sup> Technical Conference be Rescheduled**

16. LUMA hereby reiterates its request that the May 16<sup>th</sup> Technical Conference be rescheduled to one of the dates set forth in its April 29<sup>th</sup> Motion. The key subject matter expert that is unable to attend on May 16<sup>th</sup> is the ideal person to address the various subject matters set for discussion at the Technical Conference, which include the TIR, the questions on feeder capacity, and the Technical Bulletin, among others, and the Energy Bureau's questions on these subjects.

As mentioned in the April 29<sup>th</sup> Motion, this subject matter expert “has vast knowledge of the technical interconnection requirements and the topics discussed in the April 15<sup>th</sup> Order” and “[g]iven his background and knowledge, this subject matter expert’s attendance at the Technical Conference is vital to ensure LUMA is most thoroughly prepared to answer the Energy Bureau’s questions as required by the April 15<sup>th</sup> Order”. *See* April 29<sup>th</sup> Motion on page 4.

17. LUMA further informs herein that this subject matter expert is Mr. Babak Enayati, who is Senior Director of Grid Modernization, Renewable Energy Integration and Asset Management for LUMA. He is Senior Member of the IEEE, Power Engineering Society, Standards Associations, and Vice President of Education of the IEEE Power and Energy Society (“PES”) Governing Board. He served as the Vice Chair of the IEEE Standard 1547 Standard for Interconnecting Distributed Energy Resources with Electric Power Systems and the IEEE P2800 Standard for Interconnection and Interoperability of Inverter-Based Resources Interconnecting with Associated Transmission Electric Power Systems. He is also Editor of the IEEE Transactions on Power Delivery publication. In addition, he was in the past Chair of the Massachusetts DG Technical Standards Review Group. Mr. Enayati has authored or co-authored multiple published papers on subjects relating to interconnection of distributed energy resources and IEEE standards, among others.

18. As mentioned, Mr. Enayati worked on the preparation of the Technical Bulletin. In addition, he is very knowledgeable and experienced on distributed energy resources interconnection requirements and can provide valuable information and insights to address questions on the TIR and the feeder capacity issues, which are also subjects for the May 16<sup>th</sup> Technical Conference.

19. Based on Mr. Enayati's position as one of the leading experts in the development of IEEE 1547 and role in LUMA, Mr. Enayati is the ideal person to participate for LUMA in the May 16<sup>th</sup> Technical Conference. If he is not allowed to participate, this Energy Bureau will not have the benefit of the valuable knowledge and insights he can provide on the part of LUMA on the very important subjects to be covered at the May 16<sup>th</sup> Technical Conference.

20. LUMA would also like to make clear that it did not request the rescheduling of the May 16<sup>th</sup> Technical Conference with the intent of having it occur after the Technical Bulletin entered into effect. The reality is that Mr. Enayati is anticipated to be on paternity leave by that date and back by June 10, 2024. In fact, the same day LUMA requested the rescheduling of the May 16<sup>th</sup> Technical Conference, LUMA also requested the rescheduling of another Technical Conference before the Energy Bureau scheduled for May 20, 2024 in Case No. NEPR-MI-2019-0011, *In Re: Process for the Adoption of Regulation for Distribution Resource Planning* to June 12, 2024 (or other specified alternative dates) given the unavailability of a key subject matter expert (*see Motion to Request the Rescheduling of the Technical Conference Set for May 20, 2024* filed on April 29, 2024, in that case), which expert we confirm herein is also Mr. Enayati.

21. Based on the foregoing, LUMA reiterates its request that the May 16<sup>th</sup> Technical Conference be rescheduled to June 11, 2024 or the alternate dates set forth in the April 29<sup>th</sup> Motion.

22. LUMA reasserts that the Technical Bulletin is valid. However, to address the concern of SESA regarding its effective date vis-à-vis the date proposed by LUMA to reschedule the May 16<sup>th</sup> Technical Conference, and solely for such purposes, LUMA will postpone the effectiveness of the Technical Bulletin until July 1, 2023.

**WHEREFORE**, LUMA respectfully requests this Honorable Energy Bureau to **take notice** of the above and **grant** LUMA's request to **reschedule** the Technical Conference to June

11, 2024, or in the alternative, for any of the remaining dates and times offered in the April 29<sup>th</sup> Motion.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 9<sup>th</sup> day of May 2024.

We hereby certify that we filed this motion using the electronic filing system of this Puerto Rico Energy Bureau and that copy of this motion was notified to [agustin.irizarry@upr.edu](mailto:agustin.irizarry@upr.edu); [javrua@sesapr.org](mailto:javrua@sesapr.org); [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov); [contratistas@jrsp.pr.gov](mailto:contratistas@jrsp.pr.gov); [aconer.pr@gmail.com](mailto:aconer.pr@gmail.com); [john.jordan@nationalpfg.com](mailto:john.jordan@nationalpfg.com); [arivera@gmlex.net](mailto:arivera@gmlex.net); and [mvalle@gmlex.net](mailto:mvalle@gmlex.net).



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